

Dear Chairman Powell,

As an elected tribal representative I acknowledge our government-to-government relationship with the Federal Communications Commission consistent with the principles of Tribal Self-Governance and appreciate that the FCC will ensure, through its regulations and policy initiatives, and consistent with Section 1 of the Communications Act of 1934, that Indian Tribes have adequate access to communications services. As part of the rulemaking process I am submitting the following comments on Docket No. 96-45 - Review of Lifeline and Link-Up Service for All Low-Income Consumers. My comments will be addressing only low-income consumers on Tribal Lands.

While penetration rates for telephone service are increasing in Indian Country much work remains to be done to assure American Indian participation in the low-income USF program that align with the principles of Universal Service. There are many reasons why our tribal people are not enrolling in the low-income telephone program.

The current eligibility standards are too narrow. Eligible and participating clients of USDA Commodity foods program, tribal HUD programs, and tribal subsidy programs like elder utility credit at my tribe should be included. Eligibility based on income level should be added as an additional means to qualify based on the guidelines used for programs like HUD where the poverty level is calculated given household size, number of adults, elderly, and yearly income. Another option is to let the tribes establish their own eligibility standards since they know who needs this assistance. Tribal members may be eligible for enhanced lifeline or link up and still don't enroll because of the following reasons:

=95 Some individuals fear penalties since the program is self-certifying and they must contact the telephone company immediately if their status changes.

=95 Some individuals may have credit problems that prohibit enrollment.

=95 Some individuals are not aware of the program. In other cases they have called the telephone company and were not enrolled because the customer service representatives did not know about the enhanced program for tribal lands, and this program is not built into their billing system.

=95 They may have contacted their tribal government and the tribal government is not aware of the program.

All of these examples have happened in Indian Country.

The lifeline and linkup program can work more effectively with some changes for Indian Country. Tribes need to have resources to provide the gap service to get the people enrolled. Once they are enrolled they can provide local monitoring. The Washington State program for lifeline linkup has a re-certification every six months. Under the enhanced lifeline linkup the enrollee self certifies and must notify the phone company immediately if they are no longer eligible or be subject to some type of penalty. There should be a guaranteed period of time of enrollment with a re-certification process established. The local tribes could do this if they had the resources. To get people initially enrolled there has to be an organization in the community that the tribal members can go to for assistance. Tribal resources are stretched to the limit in my community and we cannot fund a position to address this. The telephone companies may be required to do outreach but in a tribal community it will take a personal approach from people from the community to be effective. The local phone company has a wonderful web

site full of information that our community cannot access. The Washington State Utility and Transportation Commission also have a wonderful web site our community members cannot access. Our local telephone company included a flyer in their monthly bill, but that did not reach our community members without phones. In our state a non-profit that serves Indian Tribes in Washington, Oregon, Idaho, Montana and Alaska villages has just started an education program on the enhanced lifeline and linkup program. It was funded by a grant from settlement money from a lawsuit against Qwest. The organization is the Affiliated Tribes of NW Indians =96 Economic Development Corporation based

in Shoreline, WA. Because of the restrictions of the grant it can only be used for tribes in the State of Washington. The approach they are using is to develop a model for the tribes to implement and provide support to tribal staff that work for the programs eligible for enhanced lifeline and linkup. They will also be providing a clearinghouse of information, training and a second level support for tribal staff. If a regional center like this could be funded in areas where tribes are located they could provide a solution to the gap between telephone companies and state consumer education programs. The source of these funds could come from the telephone company=92s foundations and Universal

Service Funds. On behalf of my tribal community I thank you for the opportunity to bring our voices to this process. Please contact me if you have any questions.